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BY: Martha D. Helent

DATE: August 28, 2000

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re: Patent Application of Sean A. McCarthy *et al* :  
Appl. No.: 09/578,063 : Attention:  
Filed: May 24, 2000 : Box Missing Parts  
For: NOVEL GENES ENCODING PROTEINS : Attorney Docket  
HAVING DIAGNOSTIC, PREVENTIVE, : No. 10147-6U1  
THERAPEUTIC AND OTHER USES



**TRANSMITTAL OF MISSING PARTS OF APPLICATION**  
**FILING DATE GRANTED**

Submitted herewith are the following for the above-identified application:

- ☒ [X] A copy of the Notice to File Missing Parts of Application -- Filing Date Granted, mailed August 10, 2000.
- ☐ [ ] No Notice to File Missing Parts has been received.
- ☒ [X] Declaration and Power of Attorney.
- ☐ [ ] Verified Statement Claiming Small Entity Status under 37 C.F.R. § 1.9 and 1.27.
- ☐ [ ] Verified English translation of application as filed.
- ☐ [ ] Priority document(s): Certified copy(ies) of \_\_\_\_\_ patent application No(s). \_\_\_\_\_, filed in \_\_\_\_\_ on \_\_\_\_\_ from which priority is claimed under 35 U.S.C. § 119.
- ☐ [ ] Formal drawings: &@ sheets
- ☐ [ ] Information Disclosure Statement, PTO-1449, and cited references.
- ☐ [ ] Preliminary Amendment.
- ☐ [ ] Nucleotide and/or Amino Acid Sequence Submission, including:
- ☐ [ ] Computer readable copy    ☐ [ ] Paper Copy    ☐ [ ] Verified Statement

- ☐ A Refund Request
- ☐ Request for Corrected Filing Receipt due to PTO error. Attached is a marked-up copy of Filing Receipt showing corrections.

The following fees are being paid by:

- ☒ Our firm's check(s) enclosed herewith; or
- ☐ This authorization to charge our firm's **Deposit Account No. 50-1017 (Billing No. 210147.0023)**.
- ☒ Surcharge of **\$130** for late filing Declaration and Power of Attorney.
- ☐ Surcharge of **\$130** for late filing English translation.
- ☐ Extension of time fee of \_\_\_\_\_. Applicant(s) hereby petition(s) for a \_\_\_\_\_ month extension of time to file response to Notice to File Missing Parts.
- ☒ Any additional fees/overpayments are authorized to be charged/credited to the above Deposit Account.
- ☒ Any additional fees required under 37 C.F.R. § 1.16 or § 1.17.
- ☒ In the event that a Petition for Extension of Time is required during the prosecution of this application, but not submitted, please charge any extension fee under 37 C.F.R. § 1.136(a) to our Deposit Account noted above.
- ☒ One additional copy of this paper is enclosed for accounting purposes.

**CORRESPONDENCE ADDRESS**

August 28, 2000  
(Date)

By: \_\_\_\_\_

**GARY D. COLBY, Ph.D., J.D.**

Registration No. 40,961

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Enclosure

## FORMALITIES LETTER



\*OC00000005313870\*

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENT AND TRADEMARKS  
Washington, D.C. 20231

#3

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/578,063	05/24/2000	Sean A. McCarthy	10147-6U1 (MBIO99-030)

000570  
AKIN GUMP STRAUSS HAUER & FELD LLP  
ONE COMMERCE SQUARE  
2005 MARKET STREET SUITE 2200  
PHILADELPHIA, PA 19103



Date Mailed: 08/10/2000

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

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*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

09/06/2000 JADD01 00000012 09578063

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